



**VILLAGE OF WESTMONT
PLANNING AND ZONING COMMISSION
AGENDA ITEM**

MEETING DATE: November 09, 2016

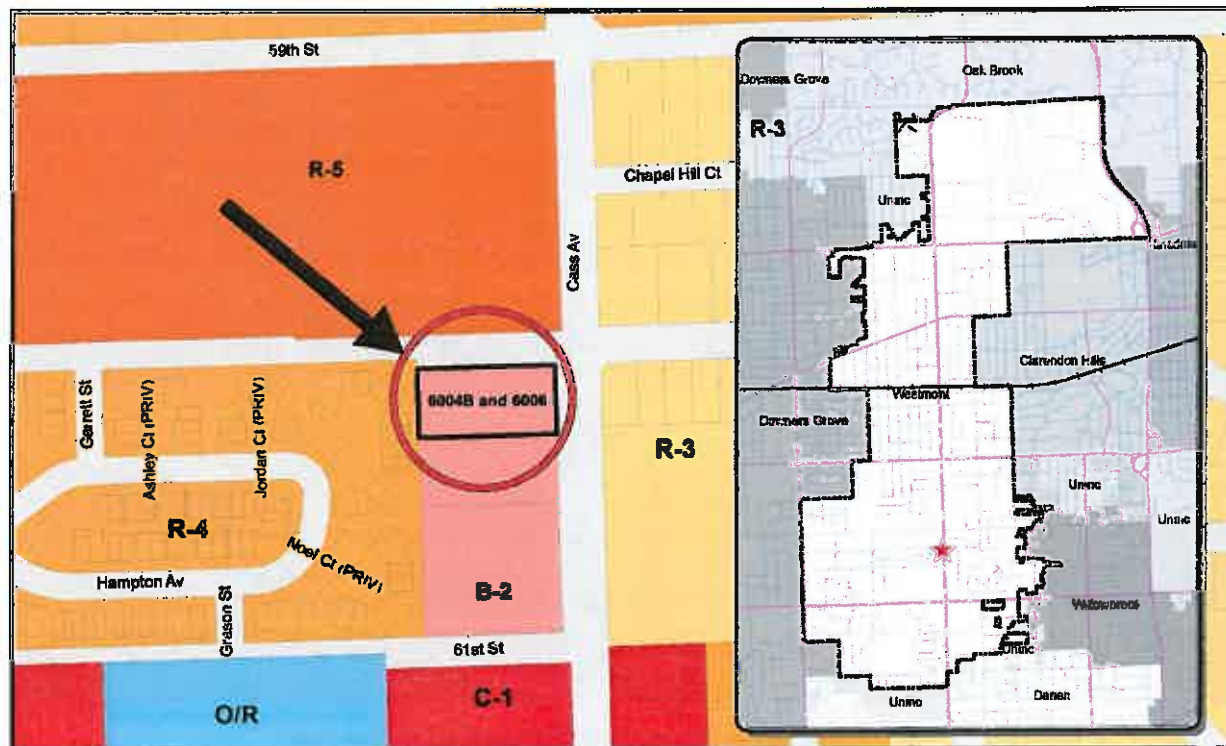
P/Z 16-023

TITLE: Sunshine Montessori LLC regarding the properties at 6004B and 6006 South Cass Avenue, Westmont, IL 60559 for the following:

(A) Special Use permit request to operate a Montessori school in the B-2 General Business District.

BACKGROUND OF ITEM

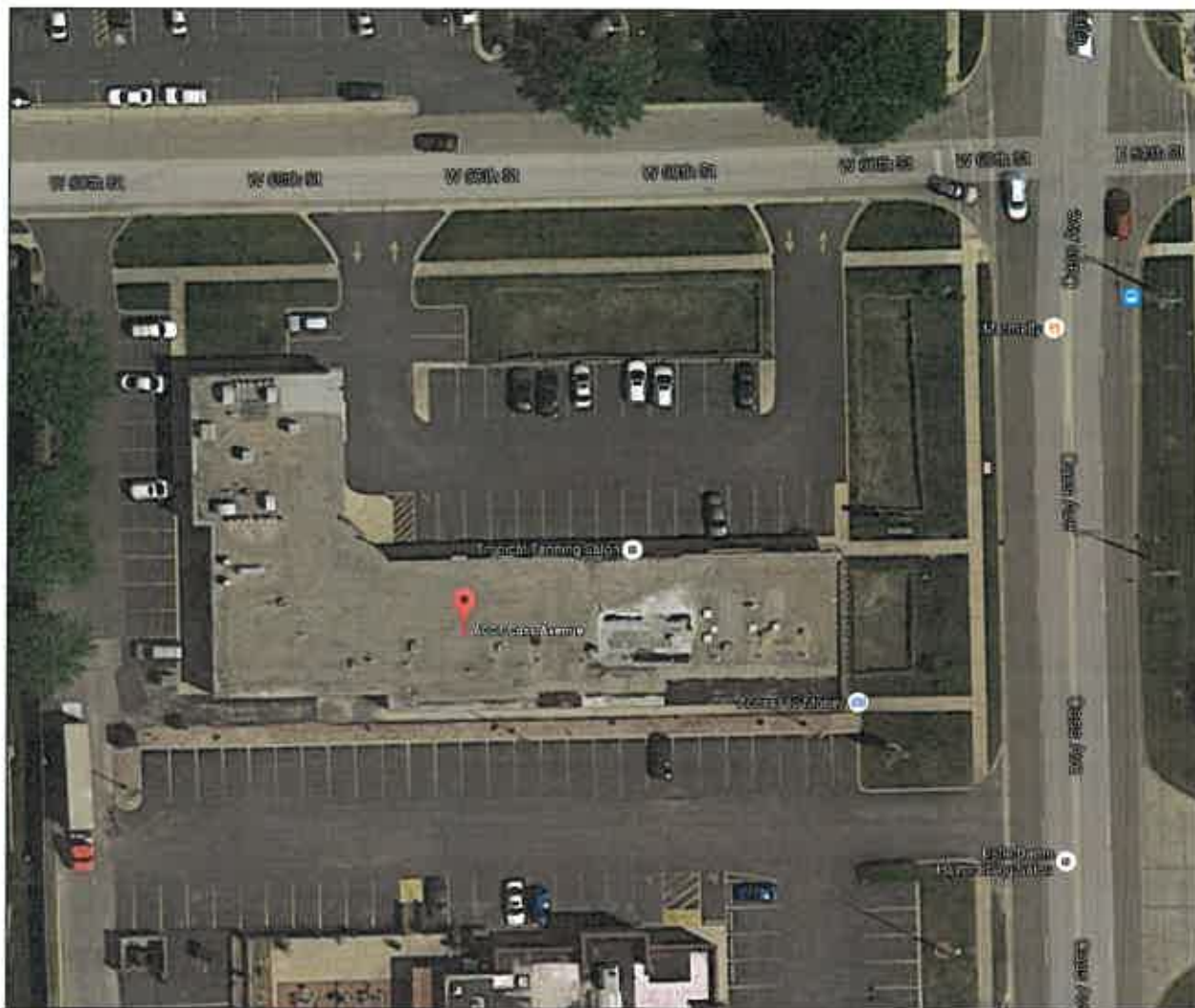
The subject lot is located on the southwest corner of South Cass Avenue and 60th Street. It is known as Lot 1 in the Cass Lake Commercial Subdivision, which was recorded on January 13, 1982.



Zoning Map - 6004B and 6006 South Cass Avenue

The applicant has operated a Montessori school at 6006 South Cass Avenue since June of 2015. The school had previously been located at 6424 South Cass Avenue in Falcon Plaza with an approved Special Use permit that had been obtained in 2011. When relocating in 2015, the applicant received administrative approval as it met the condition of Ordinance 15-109 and occupied less than 1000 square feet of space. Now looking to expand into the adjacent unit of 6004B and doubling in size from 900 square feet to 1800 square feet, an approved Special Use permit is required.

Students range from 2 to 6 years in age, and classes are conducted between 9 a.m. and 1 p.m. The applicant anticipates a maximum of 30 students at any one time.



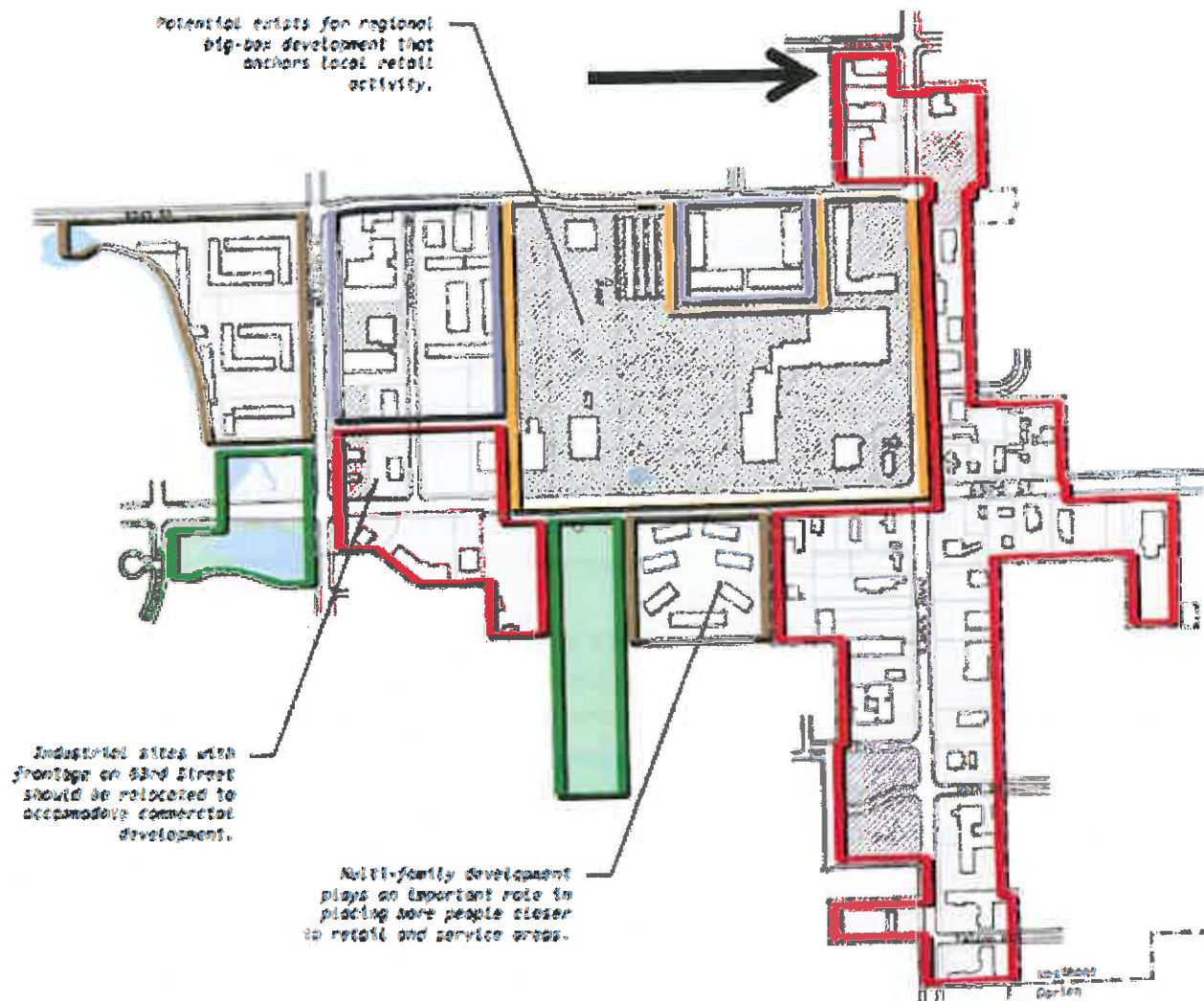
Aerial Map - 6004B and 6006 South Cass Avenue

ZONING ANALYSIS

The subject property is located in the B-2 General Business District, as is the property immediately adjacent to the south. Properties to the north, east and west are all residential in nature, but diverse in building types. The apartments to the north property are zoned R-5 General Residence District, condominiums to the west are zoned R-4 General Residence District, and a single-family home sits across Cass Avenue in an R-3 Single Family Detached Residence District.

Comprehensive Plan, Economic Development and Design Guidelines

The school is located in an existing strip retail center within the boundaries of the **South Westmont Business Center TIF**, and the building is not currently planned for redevelopment. The proposed use is located within the **Comprehensive Plan** designated as a Commercial Infill / Improvement Area of the 63rd and Cass subarea, which is denoted as a mix of multi-tenant commercial centers, small-lot retail, office and restaurant, office and distribution campuses, and manufacturing.



While retail and restaurants are preferred uses and benefit the Tax Increment Financing District, this shopping center has struggled to find quality tenants due to poor tenant visibility to Cass Avenue traffic. It is also located on the north end of the TIF District, and would likely not be the first shopping center to redevelop in the area.



60th & Cass retail center street view

Special Use Request

Appendix "A", Section 7.03(A)(115) requires that all schools in the B-2 General Business District receive a special use permit and abide by the special condition that there will be no appreciable traffic congestion or hazard to pedestrian safety.

The applicant has stated that students typically are dropped off and picked up by parents, and that existing school hours do not conflict with any other uses within the shopping center. Staff notes that no complaints about congestion have been received in the past, including when the school operated at the former location. The use appears to meet all other Special Use standards, which are noted below.

Standards. A proposed special use shall substantially meet the following standards in order to obtain the recommendation of the planning and zoning commission and approval of the board of trustees:

- (1) That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
- (2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.
- (3) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (4) That adequate utilities, access ways, drainage and/or other necessary facilities have been or are being provided.
- (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- (6) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the village board pursuant to the recommendation of the plan commission.

PARKING ANALYSIS

Private school parking requirements are found within Appendix A, Section 10.06(K)(2)(h)(3) of the Village Code:

(3) Nursery, elementary or junior high, public or private: one parking space for each faculty member and each other full-time employee.

The applicant has indicated that at peak 3 staff members would be on site, and may increase if an afternoon session is warranted. Based on anticipated staffing, 3-4 parking spaces would be required.

Staff notes that the parking demand of this use would be less than that of a moderate volume commercial based business. The shopping center has additional spaces located behind the building to the west which could be utilized by employees if the main parking lot is significantly impacted during drop off times.



6004B and 6006 South Cass Avenue - existing space on left, expansion to right

STAFF COMMENTS

Fire Department

When permitting the use to move into the property in 2015, the Fire Department had agreed with the property owner that a compliant sprinkler system would be installed in prescribed amount of time. As this timeline is quickly approaching, the business license would be approved provisionally based on this installation.

SUMMARY

A Special Use permit is required to operate the expansion of this school in the B-2 General Business District. While the Village's desire is to situate restaurants and retail businesses within the district, the proposal would expand a successful Westmont business in an underutilized strip center with limited commercial visibility. It is anticipated that the use will have minimal impact to the adjacent land uses.

DOCUMENTS ATTACHED

1. Publication notice appearing in the October 26, 2016 edition of Westmont Suburban Life.
2. Plat of Survey, as prepared by Certified Survey, Inc., undated.
3. Administrative approval letter, dated June 29, 2015.
4. Staff review comments from Fire Prevention Bureau Director Larry Kaufman dated October 10, 2016.
5. Application for public hearing dated September 22, 2016, and associated attachments.
 - a. Floor Plan, prepared by applicant, undated.



westmont.illinois.gov

Community Development Department

31 West Quincy Street • Westmont, Illinois 60559
Tel: 630-981-6250 Fax: 630-968-8610

June 29, 2015

Dear Ms. Haider,

This letter grants an administrative Special Use permit to operate a Montessori School at 6006 South Cass Avenue, pursuant to Ordinance No. 15-109, approved on June 25, 2015. The administrative approval is for the business details that have been submitted to staff, and the permit could be revoked if the use changes and/or expands beyond the limits of the administrative approval. The attached floor plan is part of the administrative approval and the business may not expand into an adjacent tenant space without a public hearing and Village Board approval. The property owner has also agreed to install a NFPA 13 compliant automatic sprinkler system within 36 months, by May 28, 2018 (see attached letter). If the system is not installed by the agreed upon deadline, the business occupancy could be revoked.

The standards used to approve a Special Use are listed below as follows:

- (1) That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
- (2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.
- (3) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (4) That adequate utilities, access ways, drainage and/or other necessary facilities have been or are being provided.
- (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- (6) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the village board pursuant to the recommendation of the plan commission.

Best wishes in continuing to operate a successful business in our community!

Sincerely,

Jill H. Ziegler, AICP
Community Development Director

Attachments



Westmont Fire Department
HEADQUARTERS
6015 South Cass Avenue • Westmont, IL 60559

Main Office (630) 981-6400
FPB Director (630) 981-6402
Fax (630) 829-4486



Date: October 10, 2016

To: Jill Zeigler - Community Development
Joe Hennerfeind – Community Development

From: Larry Kaufman, Director
Fire Prevention Bureau

Subject: Preliminary review

The following comments are being made regarding the proposed expansion of the Sunshine Montessori School located at 6004B S. Cass Ave, Westmont, IL

As requisite for occupancy in May 2015, for this Montessori School, the property owner had to agree to the requirement of installing an NFPA 13 compliant sprinkler system. Because the extent of this work presented a significant expense, time was granted to allow the property owner to comply.

A compliance agreement (attached) with the owner, with specific benchmarks, was agreed upon.

Ultimately, the property owner is expected to have a compliant, active sprinkler system installed no later than May 28, 2018. The first "benchmark" for compliance is on March 30th, 2017.

In order to approve this latest expansion proposal;

- The business owner will need to agree, in writing, that they understand their business license is only provisional and will be revoked if any of the agreed upon benchmarks are not met by the property owner.
- The fire alarm system in the expansion space shall be brought into standard.
- Any type of construction requires plan submittal and approval.

As further assurance for compliance, I recommend a cash bond be considered to compel this property owner to proceed towards compliance.

Please contact me with any additional questions.

Submitted,
Larry Kaufman – MCP, CFM
Director, Westmont FPB

Attached: - Letter of Understanding
Letter for owner of Montessori school to acknowledge provisional occupancy



Westmont Fire Department
HEADQUARTERS
6015 South Cass Avenue • Westmont, IL 60559
Administration (630) 981-6400
Fire Prevention (630) 981-6402
Fax (630) 829-4486



Commitment to
Excellence
Protection

I.S.O. 2

Letter of Understanding

By agreeing to the provisions of this Letter of Understanding, Mr. George Angelos (OWNER), represents that he is the owner of the property located at 6008-6012 S. Cass Ave in Westmont, IL (PROPERTY aka Rent Roll 60th and Cass).

The OWNER agrees to install a NFPA 13 compliant automatic sprinkler system within 36 months, by May 28, 2018 (DEADLINE). The OWNER further agrees to meet the specified timeline benchmarks, noted as follows, to ensure that a compliant sprinkler system will be installed and operational prior to the noted DEADLINE.

The Village of Westmont (VILLAGE) agrees to grant Provisional Occupancy's to new tenants contingent upon meeting timeline benchmarks and installing the required sprinkler system. Failure to meet benchmarks or installation deadlines will result in the revocation of any granted Provisional Occupancies.

If the noted PROPERTY is sold. The requirement to sprinkle this property is not waived nor are the timeline benchmarks. If this property is sold, it is the OWNERS responsibility to assure that the new owners are aware of the requirement to sprinkle.

Timeline Benchmarks;

1. Prior to March 30, 2017 -- provide at least three (3) written quotations from qualified sprinkler contractors to install a NFPA 13 compliant sprinkler system at this property.
2. Prior to October 30, 2017 -- provide a copy of signed contract, with qualified sprinkler contractor. Contract must indicate that sprinkler system will be installed no later than May 28, 2018.
3. Prior to January 30, 2018 -- sprinkler plans must be submitted to the Westmont Fire Prevention Bureau for review and approval.
4. Prior to May 21, 2018, sprinkler system hydrostatic test must be completed.
5. May 28, 2018 -- Compliant sprinkler system installed

By signing below, I agree to the terms of this Letter of Understanding:

X George Angelos
George Angelos - OWNER

05/29/18
Date

Dan R Weiss
Fire Chief Weiss

6/2/18
Date



Westmont Fire Department

HEADQUARTERS

6015 South Cass Avenue • Westmont, IL 60559

Administration (630) 981-6400

Fire Prevention (630) 981-6402

Fax (630) 829-4486



Commission on
Fire Accreditation
International

LS.O. 2

October 10, 2016

To: Niger Haider – Sunshine Montessori
6438 St. James Court, Burr Ridge, IL 60527

From: Larry Kaufman, Westmont Fire Prevention, Director

RE: Provisional Occupancy agreement, Sunshine Montessori, 6004B S. Cass Ave

Mr. Haider:

The initial occupancy granted to Sunshine Montessori in 2015 was provisional contingent upon the owner of the property, Mr. George Angelos agreeing to install a compliant sprinkler system by May 28, 2018.

As part of this agreement, "benchmarks" were set to ensure that an effort to compliance was being made on the part of Mr. Angelos.

Attached is a copy of the agreement between Mr. Angelos and the Village requiring that the property have a compliant sprinkler system no later than May 28, 2018.

The established "benchmarks" are important to you, in that, failure of Mr. Angelos to meet any of these "benchmarks" by the prescribed date, will result in the revocation of the Sunshine Montessori business license, and subsequently require your business to close pending compliance.

The purpose of this letter is twofold;

1. Inform you, the business owner, of the current status of your business license.
2. Require you, the business owner, to sign this informational letter and attest to the fact you understand the possibility that your business license would be revoked if the property owner fails to comply with this requirement.

Please sign below, and return as soon as possible.

Larry Kaufman

Niger Haider
Mr. Niger Haider

10/12/2016
date

By signing, you are agreeing that you understand this letter and all provisions set forth in it.

September 19, 2016

Sunshine Montessori
6438 St. James Court
Burr Ridge, IL 60527
630-734-3171

Joseph Hennerfeind
Planner
Community Development Dept.
Village of Westmont, IL.

Subject: Special Use Permit Request—6004B S. Cass Ave, Westmont.

Dear Mr. Hennerfeind:

We are planning to add another section to Sunshine Montessori School at 6004B S. Cass Ave in Westmont, IL and integrate it with the existing school currently operating at 6006 S. Cass Ave in Westmont, IL.

Sunshine Montessori LLC is a registered corporation in the State of Illinois. Our School is approved by International Montessori Society (IMS) to educate children between ages of 2.8 and 6 years. I personally hold a diploma from North American Montessori Center to educate children of this age group in the Montessori system of education.

At this combined location, we will conduct classes for a maximum of 30 children at a time between 9AM-1PM, Monday thru Friday. We will accept children who are at least 3 years old and totally independent at the time of registration. Initially we plan to add one teacher aid on full time basis and another one on part time basis. We will increase employees if the enrollment increases and we may start an afternoon session.

Please note that the proposed location has an active fire alarm system which is connected directly to the local fire station. We will maintain portable fire extinguishers as needed within the premises.

There are sufficient parking spots at the shopping center to meet our need for parking. Normally we will need a maximum of 2 to 3 parking spots on a daily basis for our staff. Parents will drop off their children in the morning and pick up at the dismissal time in the afternoon. No parking space is routinely needed for parents.

We will be in full compliance with Zoning Ordinance. Please see another letter on this subject.

We hope that our application for a business license is favorably considered. Please contact us if there are any questions.

With Regards,

A handwritten signature in black ink that reads "Nigar Haider". The signature is written in a cursive style with a large initial 'N'.

Nigar Haider
Director, Sunshine Montessori School.

September 19, 2016

Sunshine Montessori
6438 St. James Court
Burr Ridge, IL 60527
630-734-3171

Joseph Hennerfeind
Planner
Community Development Dept
Village of Westmont, IL.

Subject: Compliance with Zoning Ordinance
Special Use Permit Request—6004B S. Cass Ave, Westmont.

Dear Mr. Hennerfeind:

We are planning to add another section to Sunshine Montessori School at 6004B S. Cass Ave in Westmont, IL and integrate it with the existing school currently operating at 6006 S. Cass Ave in Westmont, IL.

We confirm that standards and conditions of Zoning Board ordinance will not be adversely affected when we start a new section at this location.

Compliance with Zoning Ordinance:

Please note that there will not be any appreciable increase in traffic and congestion in the vicinity of the proposed location due to our school operation.

Please note the following:

- No parent/child will walk to school. All enrolled students are from locations not walk able to this location.
- There is no outside pedestrian traffic thru the parking lot of this building.
- Parents will drive their children to school in the morning, drop them off and go back. Most of the stores in the shopping center opens later.

- At the time of dismissal around 1PM, parents will come to pick up their children from the school.
- Traffic will be very limited and there will not be any congestion because parents usually show up at staggered times between 1 and 1:30 PM.
- The shopping center has dedicated parking areas with large number of parking spaces in front and also on the west side.
- Therefore, we confirm that pedestrian safety is not an issue. Also, traffic congestion and problem is not foreseen.
- Opening of our school at this location has no adverse impact on operation of other businesses in the vicinity. Our school does not conflict with operation of other existing businesses.
- Presence of our school in no way adversely impacts the safety, morale, and comfort level of the neighborhood and other businesses.
- We feel that value of other properties in the area may increase because of the presence of an education establishment in the neighborhood.

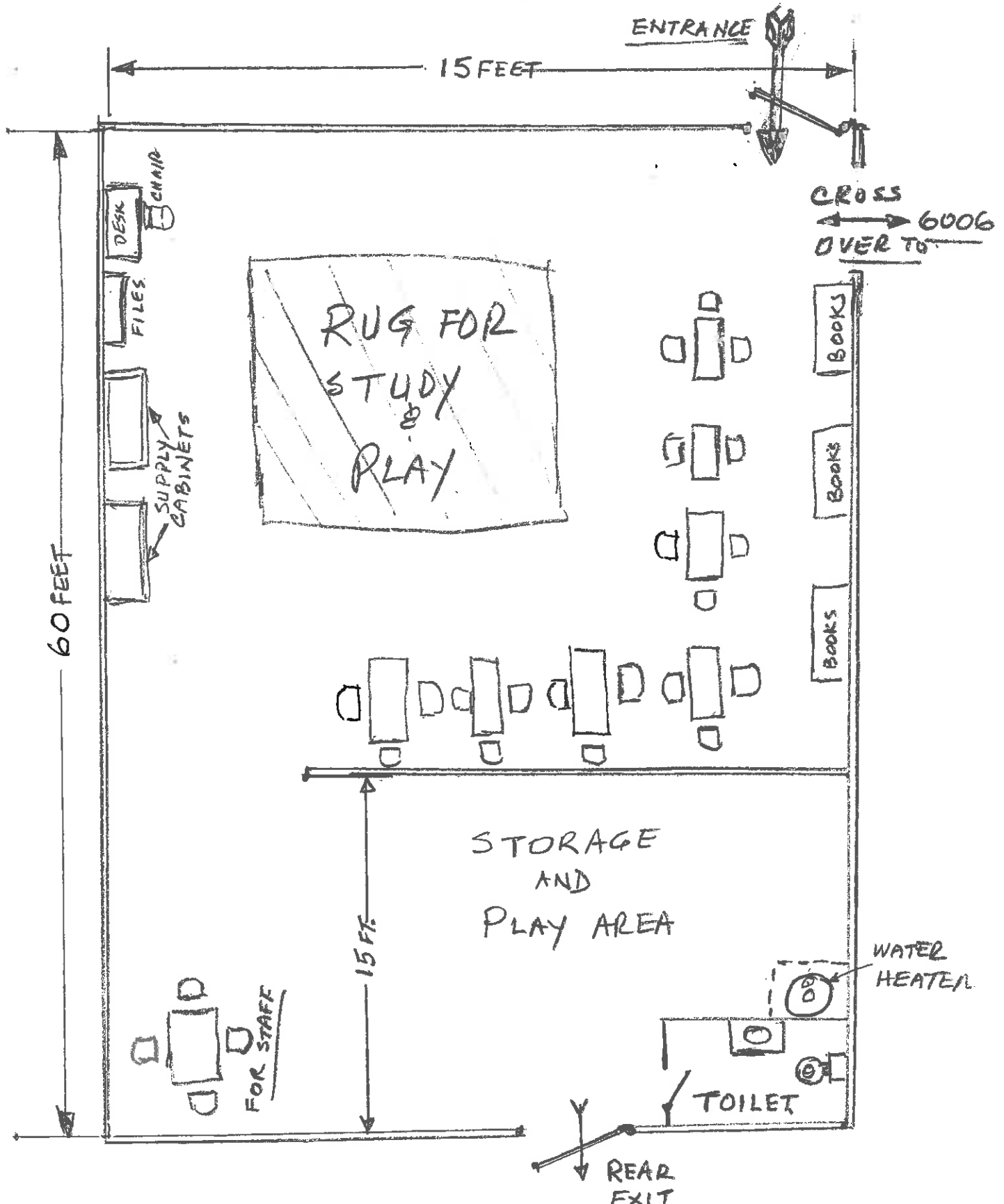
We hope that our business license application is favorably considered.
Please contact us for any further questions.

With Regards,



Nigar Haider
Director, Sunshine Montessori School.

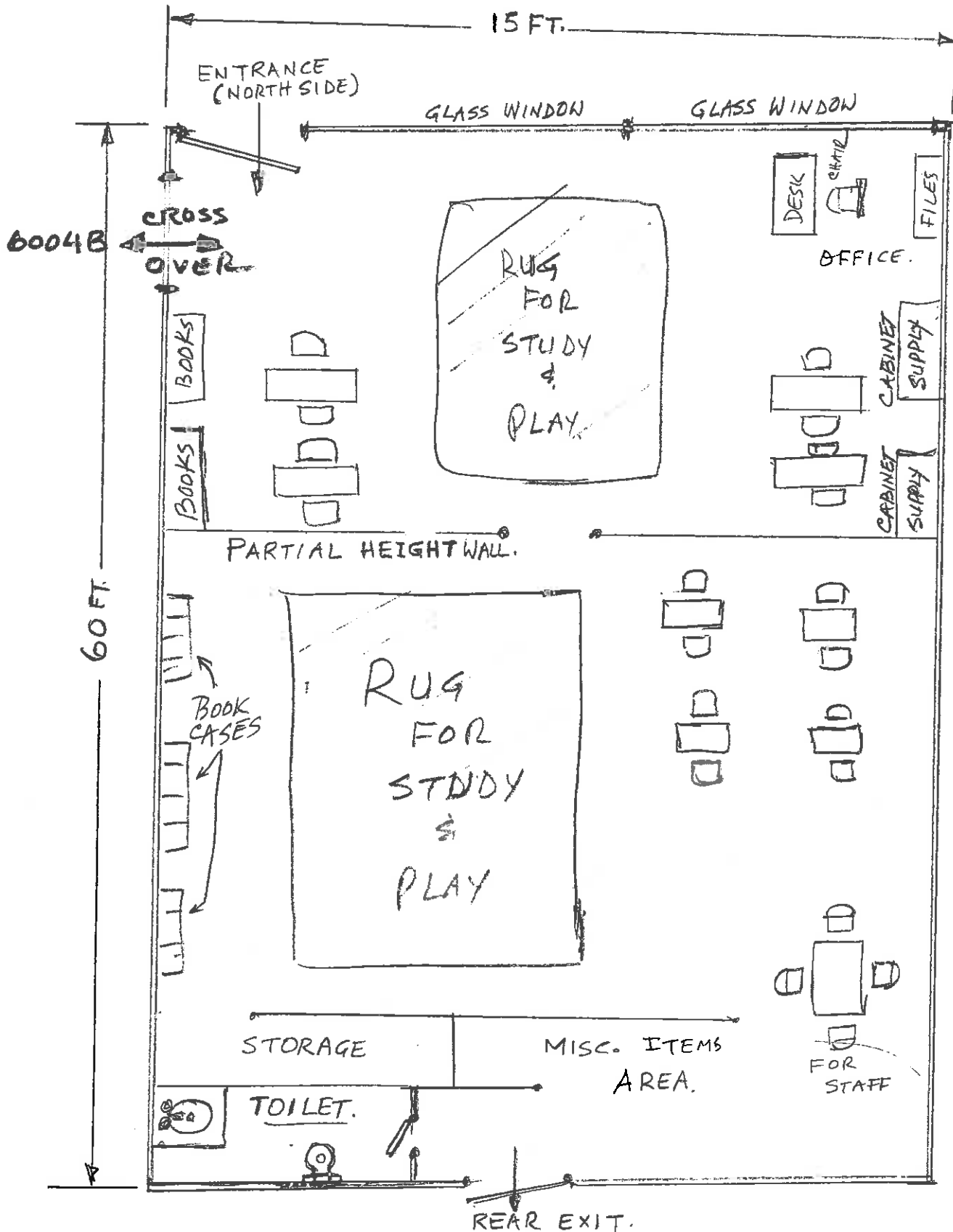
SUNSHINE MONTESSORI
6004B S. CASS AVE.
LAYOUT OF CLASS ROOM.
AREA - 900 SQ. FT. (APPROX)



SUNSHINE MONTESSORI
6006 S. CASS AVE.



LAYOUT OF CLASS ROOM.
AREA - 900 Sq. Feet (Approx.)



VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION
FINDINGS OF FACT

PUBLIC HEARING OF NOVEMBER 9, 2016

P/Z 16-023: Sunshine Montessori, LLC, regarding 6004B and 6006 South Cass Avenue, Westmont

Request for a special use to allow a Montessori school in the B-2 General Business District.

CRITERIA NO. 1: That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

FINDINGS OF FACT: The proposed school is a lawful use which will be conducted completely indoors and which will not endanger the public health, safety, morals or welfare.

CRITERIA NO. 2: That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.

FINDINGS OF FACT: The proposed school will be conducted indoors and will not result in adverse noise, traffic, hours of operation or other adverse impacts on surrounding properties. The school currently operates from a smaller tenant space within this shopping center without issue.

CRITERIA NO. 3: That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

FINDINGS OF FACT: Surrounding property is fully developed, and allowing this school use within an existing shopping center will not impede future redevelopment of surrounding properties.

CRITERIA NO. 4: That adequate utilities, access ways, drainage and/or other necessary facilities have been or are being provided.

FINDINGS OF FACT: The property is currently served by adequate utilities, parking, means of ingress/egress, etc.

CRITERIA NO. 5: *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*

FINDINGS OF FACT: The property is currently designed with ingress and egress onto Cass Avenue and 60th Street, and the property contains sufficient parking for this school use.

CRITERIA NO. 6: *That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the village board pursuant to the recommendation of the plan commission.*

FINDINGS OF FACT: Provided that the tenant space is improved with required fire sprinklers, the proposed use will conform to all other codes and ordinances of the Village

CRITERIA NO. 7: *The proposed use meets the special conditions of Special Condition 2.*

FINDINGS OF FACT: The proposed use will not cause appreciable traffic congestion or hazard to pedestrian safety. Students will be dropped off and picked up in front of the school. There are sufficient means of ingress and egress on the property. The school's hours of operation are limited, as is the class size, thereby minimizing traffic.

 ✓ The Planning and Zoning Commission agrees with the above findings.

 ○ The Planning and Zoning Commission does not agree with the above findings.

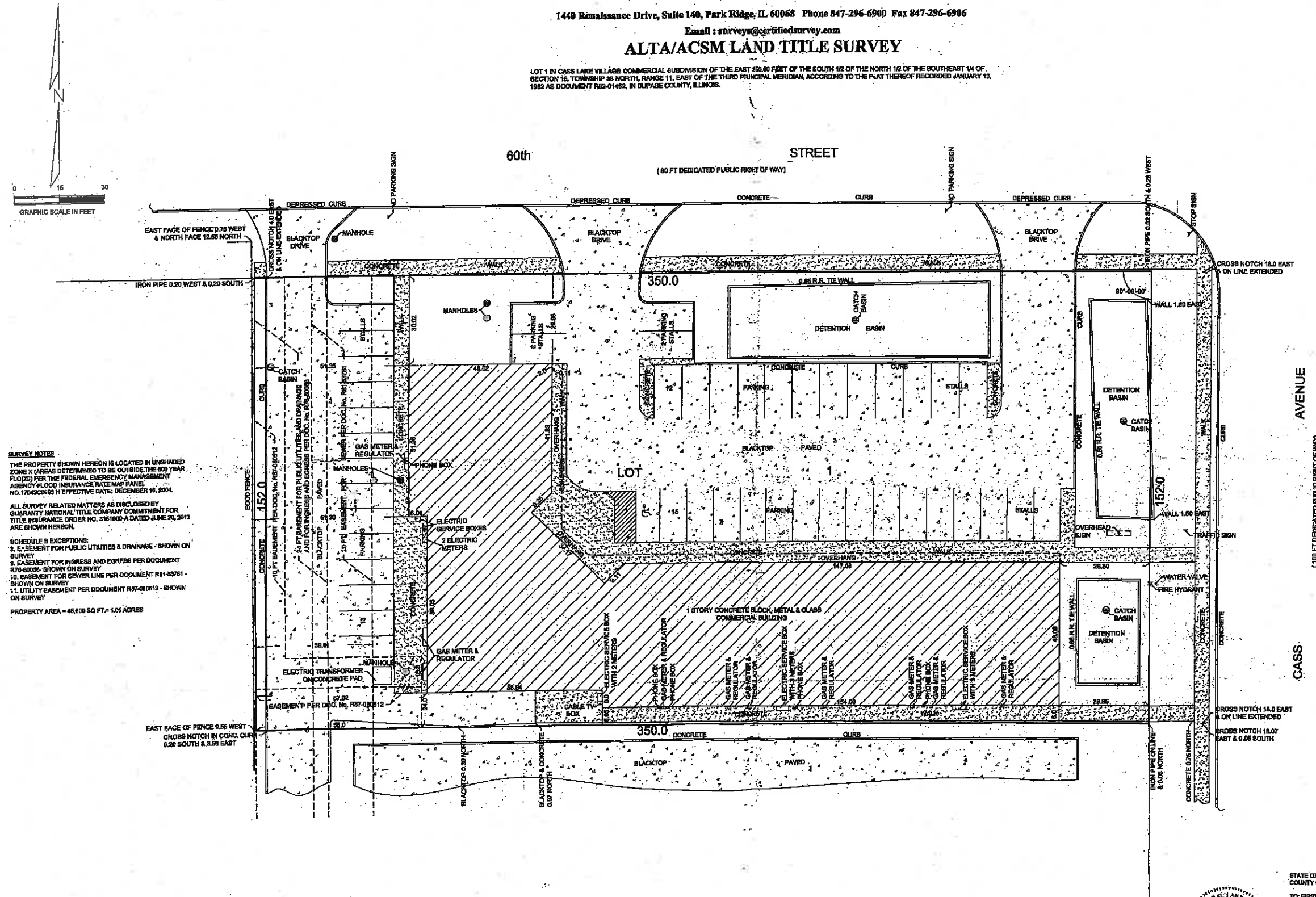
CERTIFIED SURVEY, INC.

1440 Renaissance Drive, Suite 140, Park Ridge, IL 60068 Phone 847-296-6900 Fax 847-296-6906

Email: surveys@certifiedsurvey.com

ALTA/ACSM LAND TITLE SURVEY

LOT 1 IN CASS LAKE VILLAGE COMMERCIAL SUBDIVISION OF THE EAST 350.00 FEET OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 13, 1982 AS DOCUMENT R82-01482, IN DUPage COUNTY, ILLINOIS.



SURVEY NOTES
THE PROPERTY SHOWN HEREON IS LOCATED IN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD) PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 17043C0260 H EFFECTIVE DATE: DECEMBER 16, 2004.
ALL SURVEY RELATED MATTERS AS DISCLOSED BY QUARANTY NATIONAL TITLE COMPANY COMMITMENT FOR TITLE INSURANCE ORDER NO. 2161800-A DATED JUNE 20, 2013 ARE SHOWN HEREON.
SCHEDULE B EXCEPTIONS:
9. EASEMENT FOR PUBLIC UTILITIES & DRAINAGE - SHOWN ON SURVEY
10. EASEMENT FOR INGRESS AND EGRESS PER DOCUMENT R18-00025 - SHOWN ON SURVEY
11. EASEMENT FOR SEWER LINE PER DOCUMENT R81-03761 - SHOWN ON SURVEY
12. UTILITY EASEMENT PER DOCUMENT R87-08812 - SHOWN ON SURVEY
PROPERTY AREA = 45,600 SQ. FT. = 1.05 ACRES

DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING
ORDER No. 130375 (Y)
ORDERED BY: FIRST MIDWEST BANK

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS OTHERWISE REFER TO YOUR DEED OR ABSTRACT.
DECIMALS OF FOOT AND THEIR EQUIVALENT IN INCHES AND FRACTIONS THEREOF.

| | | |
|----------------|----------------|---------------|
| 0.1" = 1/16" | 0.2" = 1/8" | 0.3" = 3/16" |
| 0.4" = 1/4" | 0.5" = 1/2" | 0.6" = 3/8" |
| 0.7" = 7/16" | 0.8" = 4/5" | 0.9" = 9/10" |
| 1.0" = 1" | 1.1" = 1 1/10" | 1.2" = 1 1/5" |
| 1.3" = 1 3/10" | 1.4" = 1 2/5" | 1.5" = 1 1/2" |
| 1.6" = 1 3/5" | 1.7" = 1 7/10" | 1.8" = 1 4/5" |
| 1.9" = 1 9/10" | 2.0" = 2" | |



STATE OF ILLINOIS
COUNTY OF COOK

TO: FIRST MIDWEST BANK, 3800 N. QUARANTY NATIONAL TITLE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NASPE, AND INCLUDES ITEMS 1, 2, 3, 4, 7a, 8, 9, 11 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 25, 2013.

DATE OF PLAT: JULY 30, 2013

PROFESSIONAL LAND SURVEYOR NO. 3408
LICENSE EXPIRES NOVEMBER 30, 2014